G.R.S. IX—5]

Previous references.

G 7 6-21 M 306 & 329

1922

(G 7)

File No. 5-22

Serial Nos. 22-41

Later references.

LB. 90-23-(1-4)

G. 7-7-24-8 & 13

G.F. 40-25-21 & 38

Reserve

2.11.63

GENERAL AND REVENUE SECRETARIAT

P. 8-E

Serial Nos 2

Part B for March 23

SUBJECT

Procedure to be adopted by Magistrates in granting certificates for transfer of State Loan Bonds.

41). Tc 4177-96 dt 8-3-1922
to the Comptr & Dy Commrs of D's
Prescribes the procedure to be adopted.

Box
13/8/23

G. R. S. III-2]

25-28/23

General and Revenue Secretariat.	G.S. File No. 5 of 19 23.

Serial No.

22.

From the Comptroller

Letter No S.L. 2723 dated 8th Janry 1923.

Forwards a set of rules framed by the Registrar Chief Ct for the guidance of the Magistrates in granting certificates in the matter of transfer of bonds to claimants of deceased holders etc.

The Comptroller states that these rules may be approved.

Submitted for orders with previous file. V

Secy 13/1/23

Secy 28/1/23

Secy 13/1/23

(illegible) dated 17-2-23 does not require to be countersigned by the Magistrates. The insertion of regs 5 in the (illegible) rules. The Comptroller is requested that a draft of the change has been deliberately made.

Secy 21/1/23

25 JAN. 1923

S.A.

No. 1-6/Sec. 23-1 dated 25-1-23

2-6 No 173

11.0.W.3. 4956. 29.1.23.

The change has been deliberately made in accordance with the suggestion of the Registrar of the Chief Court.

P. Satyanarayan Murty
Comptroller.

Secy 31/1/23

Secy

Please forward draft Notification.

Secy 3/2/23

G. R. S. III-2]

General and Revenue Secretariat.

G 7 File No. 5 of 1922

Serial No.

(1 draft modification is sent for approval

Please amplify draft by inserting in it the proposal

7 fo. 7 to 7. 2. 22

6/3/23

Revised draft portion

7/2 Please portion draft in fo. from -

8/

Sent with draft

17/2 Le Secy

1/3/23

draft may be approved

4.3.23

Please

Dy. 3.

To comply D.O. of Dt., copy received

vide G.I. 41-77-96 dt 8.3.23

prescribe the procedure to be adopted by Drugs traders in granting certificates for transfers of Schedule

NOTE—Contn. sheet

3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

In reply please refer to No. S.L.2723.

26970

10 JAN 1923

Comptroller's Office, Bangalore,

Dated the 8th January *192* 3.

Rajakaryaprasaktha
M. N. Krishna Rao Esq., B.A.,
Financial Secretary to the Government of Mysore,
B A N G A L O R E.

Sir,

I have the honor to enclose herein a set of rules proposed by the Registrar, Chief Court, for the guidance of the Magistrates in granting certificates in the matter of transfer of bonds to claimants of deceased holders when the value of the bonds is less than Rs.5,000/- in cases falling under G.O. No.Fl.4090-G.F.6-21 dated 17th February 1922 and G.O.No.Fl.C.65 dated 29th September'22.

It was considered desirable to frame a set of rules regulating the procedure to be adopted by the Magistrates in the grant of such certificates. The rules proposed by the Registrar are suitable and

as

RULES.

1. The Magistrate holding the enquiry will immediately on receiving the reference cause notice or proclamation thereof containing the date and place of enquiry, particulars of the bond, deceased person, claimants, etc., to be served by beat of drum in the village or locality of the ~~town~~ where the deceased subscriber usually resided or worked for gain. In important cases where the amount is large enough to justify such a procedure and at the discretion of the Magistrate, the notice may also be published in the local Gazette.

2. A copy of the notice of proclamation shall also be fixed to the Notice Board at the Court House and at the Village Chavadi or other public place in the village or locality of the town.

3. Where the probable claimants or heirs are known or suspected or are named by the applicant, the notice above referred to should be sent for service individually upon them.

4. The parties will be required to have their entire evidence, oral and documentary, ready at the time and place of enquiry.

5. The Magistrate will investigate the claim summarily, recording a memorandum of the evidence given by each witness, the other parties being at liberty to briefly cross-examine the deponents.

6. The Magistrate will then record his finding giving brief reasons therefor, and basing his decision on Hindu or Mohamadan law whichever is applicable to the case and on equity and good conscience. A certificate based on such finding shall be granted to the rightful claimant or claimants.

7. The certificate granted by a Magistrate other than the District Magistrate shall be countersigned by the District Magistrate who may for the purpose of satisfying himself send for and peruse the records of the case. If the District Magistrate considers that the certificate has been improperly granted, he may after hearing further evidence if necessary, grant a

fresh

fresh certificate after recording his reasons briefly in the matter and forward it to the Comptroller.

8. Ordinarily only the copy of the order of the Magistrate containing the findings and the certificate are to be sent to the Comptroller. But the latter shall have power to call for the entire records for perusal when he considers it necessary.

9. The record connected with the enquiry shall be retained in the office of the enquiring Magistrate for a period of three years from the date on which the enquiry was completed and then destroyed. Copies of the proceedings may be granted to parties under the copyist Rules.

(Sd.) A. Srinivasa Raghavachari,
Registrar.

'COPY'

mp

G.R.S. VI–71]

SUBJECT..... (v copies) .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 191

Date of issue..... 8 March 1923 .....

Signed by ..... (2)

May this be

i Printed ? Yes

ii treated as a standing order ? Yes

ii published in the Gazette, English Part ? Yes

iv translated ? Yes

v placed at the disposal of the press ?

vi published in the Gazette Kannada Part ? Yes

Yes

Section G.7

File No. T-122

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read ~~again~~ G.O. No. 2l 4090/G.7. 6-21-329 dated the 17th Feby 1922 sanctioning the compliden proposal for dispensing with the production of ~~legal~~ documents such as succession certificates, Letters of Administration Guardianship certificates etc. in the case of small ~~investments~~ investors in ~~the~~ State loans and authorising him to ~~temporarily~~ ~~Order Thereon No~~ transfer the bonds belonging to ~~the~~ deceased holders to their ~~Claimants~~ heirs on the findings of Amildars and Dt magistrates upto Rs 1500 & 5000 respectively, ~~under~~ ~~an executive order of Govt~~ pending the revision of the Thelimit

8

Securities Regulations.

Order therein: No. F 4177-85 98 March/13

The Govt ~~of H.H. the Maharaja of Mysore~~ are pleased to lay down the following rules for further regulating the ~~further~~ procedure to be adopted by the ~~the Taluk and 1st~~ magistrates in granting certificates in the cases referred to in the order read above

Rules will be by Govt

(as proposed by Comptr with the approval of the Chief Court)

17/6/13

Mr 4.3.13

~~Dear~~ Mr. Seay.

To Comptroller
Dy Commissioner
Copy to Chief Court

RM. 17/2

1/3/13

List of enclosures.

Copied by

Examined by

WD 1744—GPB—30,000—17-3-19

Government of His Highness the Maharaja of Mysore.

FINANCIAL DEPARTMENT.

G. O. No. Fl. 4177-85—G. F. 5-22-41, dated 8th March 1923.

Deceased Investors in the State Loans.

Lays down rules for further regulating the procedure to be adopted by the Magistrates in granting certificates in the case of ——.

READ—

Government Order No. Fl. 4090—G. F. 6-21-329, dated the 17th February 1922, sanctioning the Comptroller's proposal for dispensing with the production of legal documents such as succession certificates, letters of Administration, Guardianship certificates, etc., in the case of small investors in State loans, and authorising him to transfer the bonds belonging to deceased holders to their heirs on the findings of Amildars and District Magistrates up to the limits of Rs. 1,500 and 5,000 respectively pending the revision of the Securities Regulation.

ORDER NO. FL. 4177-85—G. F. 5-22-41, DATED 8TH MARCH 1923.

The Government are pleased to lay down the following rules for further regulating the procedure to be adopted by the Magistrates in granting certificates in the cases referred to in the order read above.

RULES.

1. The Magistrate holding the enquiry will immediately on receiving the reference cause notice or proclamation thereof containing the date and place of enquiry, particulars of the bond, deceased person, claimants, etc., to be served by beat of drum in the village or locality of the town where the deceased subscriber usually resided or worked for gain. In important cases where the amount is large enough to justify such a procedure and at the discretion of the Magistrate the notice may also be published in the local Gazette.

2. A copy of the notice or proclamation shall also be fixed to the Notice Board at the Court House and at the village Chavadi or other public place in the village or locality of the town.

3. Where the probable claimants or heirs are known or suspected or are named by the applicant, the notice above referred to should be sent for service individually upon them.

4. The parties will be required to have their entire evidence, oral and documentary, ready at the time and place of enquiry.

5. The Magistrates will investigate the claim summarily, recording a memorandum of the evidence given by each witness, the other parties being at liberty to briefly cross-examine the deponents.

6. The Magistrates will then record his finding giving brief reasons therefor, and basing his decision on Hindu or Mahomadan Law whichever is applicable to the case and on equity and good conscience. A certificate based on such finding shall be granted to the rightful claimant or claimants.

7. The certificate granted by a Magistrate other than the District Magistrate shall be countersigned by the District Magistrate, who may, for the purpose of satisfying himself, send for and peruse the records of the case. If the District Magistrate considers that the certificate has been improperly granted, he may after hearing further evidence, if necessary, grant a fresh certificate after recording his reasons briefly in the matter and forward it to the Comptroller.

No. Fl. 4177-85—G. F. 5-22-41, dated 8th March 1923.

8. Ordinarily only the copy of the order of the Magistrate containing the findings and the certificate are to be sent to the Comptroller. But the latter shall have power to call for the entire records for perusal when he considers it necessary.

9. The record connected with the enquiry shall be retained in the office of the enquiring Magistrate for a period of three years from the date on which the enquiry was completed and then destroyed.

Copies of the proceedings may be granted to parties under the copyist rules.

M. N. KRISHNA RAO,
Financial Secy. to Govt.

To—The Comptroller, Mysore Government.
The Deputy Commissioners of Districts.

Exd:—C. R:

W.D. 1725-GPB—285—17-3-23

G. R. S. VI—G/32]

(9

SUBJECT. .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 9 March 23

Signed by Nabakrushna Choudhury

Section

File No.

Serial No

No. H 4193

To

The Registrar Civil Court

Sir,

I am directed to forward herewith for information copy of Govt order No H 4177-85 G 5-22-41 dated 8th Mar 1923 regulating procedure to be adopted by ~~the~~ magistrates in granting certificates for ~~in case of~~ transfer of State loan bonds -

I have &c

over. Mab 9-3-23

for Secy